



CITY OF TUCSON



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NEWS RELEASE

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SHOOTING AND BARRICADED SUBJECT 300 BLOCK WEST DELANO

At approximately 4:14 a.m. on September 22, 2012, the Tucson Police Department received a 911 call from two adult males who were at the Circle K store located at North Oracle Road and West Kelso. They advised that one of the males had been shot. Officers from Operations Division West responded to them, arriving within 4 minutes of the original 911 call. Officers confirmed that one of the males appeared to have been shot. However, his injuries were not life threatening. He was transported to a local hospital for treatment of his injuries. The other male was not injured.

The victims told officers that they had been driving in the area of the 300 block of West Delano at approximately 4:00 a.m. As they were driving, they heard a loud noise just before the rear window to the truck that they were in shattered. They did not immediately know that the noise and resulting window break were the cause of at least one gunshot. It wasn't until a few moments later when the passenger of the vehicle felt pain and discovered that he had been struck by gunfire. The victims indicated that they did not know who had fired upon them or why. They also were not able to provide any suspect description or information.

After speaking with the victims, officers responded to the 300 block of West Delano to look for any possible evidence of a shooting. While in the area, they located some eye witnesses, who were able to confirm that someone had fired at the male victims who had been driving down the street earlier in the morning. The witnesses also were able to provide detailed information about the suspect, including his description and likely whereabouts. They indicated that he was associated to an apartment in the 300 block of West Delano.

As officers began to address the apartment where the witnesses indicated the suspect may be, a male matching the description that was provided to them exited the apartment. Officers gave the male repeated verbal commands in an attempt to detain him, but he did not comply with their orders. Instead, he went back inside the apartment and refused to come out. Officers initiated communication efforts in an attempt to get the male to exit the apartment peacefully. However, due to the fact that he was believed to be armed, at minimum, with a long rifle and handgun, SWAT personnel were requested to respond to the scene. In addition, information developed indicating that other persons might be in the apartment as well. As it was possible that the male suspect was holding those persons inside the residence against their

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will, Hostage Negotiations Unit personnel also responded to the scene. SWAT and Hostage personnel continuously worked to get the male to exit the apartment unarmed. Ultimately, after several hours, he exited the apartment and was taken into custody without further incident. There had been two adult females and two children (an 11 year old female and a 5 year old male) inside the apartment when the male was inside refusing to come out. Neither the adult females nor the children were injured during the incident. He was known to them, as he is a member of their family.

Detectives from the Aggravated Assault Unit responded to further the investigation regarding the shooting incident. A search warrant was served on the apartment and a firearm was recovered. The male, later identified as **Henry A. Congress (32 years of age)**, was arrested and charged with **2 counts of Aggravated Assault with a Deadly Weapon, 1 count of Aggravated Assault – Temporary but Substantial Disfigurement, and 1 count of Prohibited Possessor, all felony offenses**. A prohibited possessor charge usually results when an individual has been previously found guilty of a felony offense and has not had his right to carry a firearm restored to him. Mr. Congress was transported and booked into the Pima County Jail. A booking photograph is not yet available.

It should be noted that due to the proximity of the apartment to North Oracle Road and the weaponry that the suspect was believed to possess, North Oracle Road between West Miracle Mile and West Fort Lowell was closed to all traffic for approximately 5.5 hours. In addition, access to Evergreen Cemetery was restricted as well.

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